

and condemnation of 15 cases of sardines, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Columbian Canning Co., Lubec, Me., alleging that the article had been shipped from Lubec, Me., on or about July 9, 1923, and transported from the State of Maine into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Vender Brand American Sardines In Cottonseed Oil Packed By Columbian Canning Co. Lubec Washington Co., Me."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On September 14, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11920. Misbranding and alleged adulteration of cottonseed meal. U. S. v. Southern Cotton Oil Co., a Corporation. Plea of guilty to misbranding charge. Fine, \$25. Demurrer sustained as to adulteration charge. (F. & D. No. 14347. I. S. Nos. 11089-r, 12012-r.)

On May 9, 1921, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Southern Cotton Oil Co., a corporation, trading at Little Rock, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 2, 1919, from the State of Arkansas into the State of Kansas, of a quantity of cottonseed meal which was misbranded, and on or about December 24, 1919, from the State of Arkansas into the State of Michigan, of a quantity of cottonseed meal which was alleged to have been adulterated. The product involved in the consignment of July 2, 1919, into Kansas was labeled in part: (Tag) "'Chic-Homa Quality' Cotton Seed Meal or Cake * * * Guaranteed Analysis Protein, Not less than 41%." The product involved in the remaining consignment was billed as 7 per cent "C S Meal" and was represented by the consignor as 7 per cent ammonia cottonseed meal.

Analyses of samples of the article from the consignment of July 2, 1919, by the Bureau of Chemistry of this department showed that it contained approximately 39.75 per cent of crude protein. Analyses of samples of the article from the remaining consignment by said bureau showed that it contained 6.63 per cent of ammonia.

Adulteration of the product involved in the consignment of December 24, 1919, into Michigan was alleged for the reason that a cottonseed meal of less than 7 per cent of ammonia had been substituted in whole and in part for cottonseed meal of 7 per cent ammonia, which the article purported to be.

Misbranding of the product involved in the consignment of July 2, 1919, into Kansas was alleged for the reason that the statement, to wit, "Guaranteed Analysis Protein, Not less than 41%," borne on the tags attached to the sacks containing the article, regarding the said article and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article contained not less than 41 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 41 per cent of protein, whereas, in truth and in fact, it did contain less than 41 per cent of protein, to wit, 39.75 per cent of protein.

On June 23, 1923, a demurrer having been filed to both counts of the information, which was overruled with respect to the second count involving the misbranding charge, a plea of guilty to the second count was entered, and the court imposed a fine of \$25. The demurrer was sustained as to the first count, involving the adulteration charge.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11921. Adulteration of cumin seed. U. S. v. 3 Bags of Cumin Seed. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15742. I. S. No. 13465-t. S. No. C-3377.)

On December 21, 1921, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 3 bags of cumin seed, at Wichita, Kans., alleging that the article had been shipped by the J. H. Forbes Tea & Coffee Co., from St. Louis, Mo., on or about November 21, 1921, and transported from the State of